

Case 2:12-cv-05486-JOM Document 25 Filed 02/27/15 Page 1 of 5
In the United States District Court
for the Eastern District of Pennsylvania

Wessie Sims pro-se
plaintiff

vs.
City of Philadelphia, et al
Defendants

Civ. action
NO: 12-5486
227 2015

Motion For Reconsideration.

plaintiff Respectfully request a Judicial
Examination in accordance with the Law
of the Land where plaintiff never had a trial
before this Court of original Jurisdiction.
The 5th Amendment pertains to the Federal
Government in which a person is Guaranteed
Fair procedures.

an orderly proceeding wherein plaintiff
would have an opportunity to be heard and
to enforce and protect her rights before this
Court having original Jurisdiction.

Rule 2.6: Ensuring the Right to be heard.

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The Concept of Due process of law as it is embodied
in the Fifth Amendment demands that a Law
shall not be unreasonable, arbitrary or capricious
and that the means selected shall have a reasonable
and substantial relation to the object being sought.

U.S. V. Smith D.C. Iowa,
249, F. supp. 515, 516.

article IV sect. 2.

The citizens of each State shall be entitled
to all privileges and immunities of citizens
in the several States.

article VI. sect 2.

reads in part: This Constitution, and the laws
of the United States which shall be made in
pursuance thereof, and the Judges in every
State shall be bound thereby, any thing in the
Constitution or Laws of any State to the
Contrary notwithstanding.

where the District Court never provided by rule
for scheduling trials, Rule 40 Fed. R. Civil P.
amended April 30, 2007, effective Dec. 1, 2007.

where there was no trial, plaintiff would
be unable to prosecute her appeal in civil
litigation from its commencement to its
final determination.

where there was no final decision, appeals
 to Federal Court of appeals lack jurisdiction
 over non final decision and non final judgments
 28 U.S.C.A. 1291. A final decision is one that ends
 litigation on merits and leaves nothing for Courts
 to do but execute judgment.

U.S. v. one parcel of Real property
 with Bldgs etc. C.A. Fla 767,
 F.2d. 1495 1497.

Judgment is considered final and thus
 appealable only if it determines the rights
 of the parties and disposes of all of the issues
 involved so that no future action by the
 Court will be necessary in order to settle
 and determine the entire controversy.

Howard Hault & Son
 Inc. v. First Nat. Bank of Hartford, Conn.
 Civ. app. 523, S.W. 2d. 496, 498.

A final decision or judgment, one which leaves
 nothing open to further dispute and which sets
 at rest Cause of action between parties. And
 because under the law, plaintiff does
 have a right to be heard.

Respectfully Submitted
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 Philadelphia, P.A.
 19131

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In The United States District Court
For the Eastern District of Pennsylvania

Wessie Sims pro se
plaintiff

V.
City of Philadelphia et al.
Defendants

Civ. action
No: 12-5486
2~~3~~ 2015

Certificate of service

The undersigned hereby Certify that a true
and correct copy of the foregoing motion
for Reconsideration was serviced by
first class United States mail, postage
pre-paid on 2-2-2015

all correspondence to
attorney of record
plaintiffs Agent:
Sharon N. Hawley Esq.
By E-mail address

Name:
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Law Department
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19102

Conclusion

For all of the foregoing reasons plaintiff
Respectfully request this Honorable Court
re-examine this Case.

Respectfully Submitted
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